

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

FX LATINO, INC., et als,

Defendants.

CIVIL NO. 23-1065 (GMM)

MOTION TO JOIN MOTION TO STAY PROCEEDINGS (DKT. 16)

TO THE HONORABLE COURT:

COMES NOW the defendant, Walmy Rivera-Santiago (“the defendant” or “Ms. Rivera-Santiago”), and very respectfully, prays and alleges as follows:

1. On February 10, 2023, the Commodity Futures Trading Commission (“CFTC”) filed a Complaint in the above captioned case.
2. Ms. Rivera Santiago waived service of process. Her response to the Complaint is due to June 2, 2023.
3. On April 25, 2023, co-defendant Hector J. Santos-Pagán moved this Court to stay the proceedings pending the resolution of an ongoing criminal investigation by the FBI and the U.S. Attorney’s Office, targeting both Mr. Santos-Pagán and Ms. Rivera-Santiago. The allegations in the Complaint filed herein mirror the allegations under criminal investigation by the FBI and the U.S. Attorney’s Office. As Mr. Santos-Pagán explained in his Motion to Stay Proceedings (Dkt. 16), which is incorporated by reference herein, such a stay is necessary to protect the defendants’ constitutional rights to defend themselves. Without the stay, the defendants will have

to choose between adequately defending their position in this civil matter or waving their constitutional right to not self-incriminate and jeopardize their defense in the parallel criminal proceeding. Therefore, Ms. Rivera-Santiago respectfully requests that this Court permit her to join Mr. Santos-Pagán's Motion to Stay Proceedings.

WHEREFORE, the defendant, Ms. Rivera Santiago, respectfully requests that this Honorable Court grant her Motion to Join Motion to Stay Proceedings (Dkt. 16), and further grant the Motion to Stay Proceedings (Dkt. 16) for the reasons stated therein.

Respectfully submitted in San Juan, Puerto Rico, on this 19th day of May 2023.

DLA Piper (Puerto Rico) LLC

/s/ *Jacabed Rodríguez-Coss*

Jacabed Rodríguez-Coss, Esq.

USDC-PR No. 207309

500 Calle de la Tanca, Ste. 401

Sonia.torres@us.dlapiper.com

San Juan, PR 00901-1969

Tel: 203-399-3465

CERTIFICATE OF SERVICE

It is hereby certified that on this date the present motion is filed with the Clerk of the Court through the CM/ECF electronic system which will notify and provide copies to all parties of record.

In San Juan, Puerto Rico on this 19th day of May 2023.

/s/ *Jacabed Rodríguez-Coss*

JACABED RODRÍGUEZ-COSS